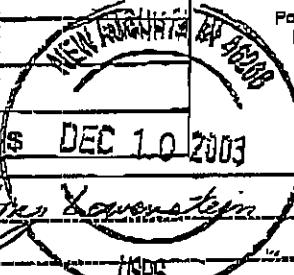


Nov-07-2006 01:18pm From-

INSTRUCTIONS FOR MAILPIECE AND DELIVERY		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2 & 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <i>Anthony Lowenstein</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Address B. Received by (Printed Name) <i>Victoria Lowenstein</i> <input type="checkbox"/> Date of Delivery C. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: Anthony Lowenstein 20 Brookside Drive, Apt #1B Greenwich, CT 06830		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number <i>(Transfer from service label)</i> 7002 3150 0001 3697 4420		Domestic Return Receipt: 10250504-M-1540	
PS Form 3811, August 2001			

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>Domestic Mail Only; No Insurance Coverage Provided</i> <i>For delivery information visit our website at www.usps.com</i>	
OFFICIAL USE	
<input type="checkbox"/> Package <input type="checkbox"/> C <input type="checkbox"/> Certified Fee <input type="checkbox"/> Return Receipt Fee <i>(Endorsement Required)</i> <input type="checkbox"/> Restricted Delivery Fee <i>(Endorsement Required)</i> <input type="checkbox"/> Total Postage & Fees	<input type="checkbox"/> Postmark Here 
Rec'd To: <i>Anthony Lowenstein</i> Street, Apt. No., or P.O. Box No. City, State, ZIP+4 USPS <small>PS Form 3811, August 2001</small>	



Nov-07-2006 01:19pm From-

U.S. CUSTOMS AND BORDER PROTECTION**Department of Homeland Security**

Office of Assistant Chief Counsel

6026 Lakeside Boulevard

Indianapolis, Indiana 46278

DEC 9 2003

Refer to:

ACC NS

03-3233

7002 3150 0001 3697 4420Certified Mail, Return Receipt Requested

Anthony Lowenstein
20 Brookside Drive, Apt #1B
Greenwich, CT 06830

Re: Claim for Damages

Dear Mr. Lowenstein:

Receipt of your "Claim for Damage, Injury, or Death" form (SF-95) dated October 15, 2003, in the amount of \$5,000.00 is acknowledged. You allege that on May 8, 2003, you were arrested by employees of the Bureau of Immigration and Customs Enforcement ("ICE"). You claim that after your arrest, the property you were carrying at the time of your arrest was destroyed by the agency holding the property. An investigation into your claim has uncovered the following facts. ICE turned over the property to U.S. Customs and Border Protection ("Customs") in Nogales, Arizona. The property was held for 90 days and then turned over to the General Services Administration ("GSA") for destruction.

Upon consideration of the facts presented to me, I have determined that there is no proof that the damage to your property was the result of any wrongful or negligent act of a Customs employee. Once Customs received your property it appears that the normal procedures were followed regarding the property and its disposition. Further, even if Customs had been negligent in the handling of your property, 28 U.S.C. § 2680 (c) of the Federal Tort Claims Act ("FTCA") specifically bars recovery for damaged or lost property due to negligence by Customs employees while the property is under detention in Customs custody. Kosak v. United States, 465 U.S. 848 (1984). Accordingly, your claim for payment must be denied under the FTCA.

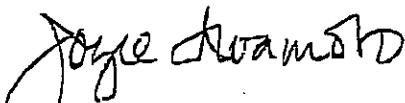
Nov-07-2006 01:18pm From-

-2-

If you wish to contest this decision, you may file a lawsuit in the appropriate United States district court no later than six months after the mailing date of this letter.

If you have any questions, please contact Nathaniel Saylor at (317) 614-4417.

Sincerely,



Joyce Iwamoto
Chief, Program Management Branch
National Finance Center